

Appendix 1

Part F

**News Article, Editorial, and Newsletter
October 16, 2003 Consultation Meeting**

STATE, TRIBES BEGIN TALKS ON CASINO TRAFFIC ISSUES

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**BYLINE: KERRY BENEFIELD
THE PRESS DEMOCRAT**

State transportation officials have begun unprecedented talks with leaders from seven North Coast Indian tribes to address traffic congestion and other issues associated with the spread of tribal casinos.

The wide-ranging discussions are designed to involve tribes in developing a long-term regional transportation plan that would cover everything from expanding bus service near reservations to creating partnerships to seek federal funding.

The landmark talks come at a time when Gov.-elect Arnold Schwarzenegger and cash-strapped state officials are looking at Indian casinos as an untapped source of revenue to pay for public programs.

“With the state budget the way it is, every entity in state government is going to try to make changes within their department to help alleviate their burden. I think they are coming to us to create and form a relationship,” said Liz Elgin De-Rouen, tribal chairwoman of the Dry Creek Band of Pomo Indians in Alexander Valley.

Caltrans officials are scheduled next week to unveil draft budget numbers for the coming year -- a move that is expected to signal how several North Coast projects, including the widening of Highway 101, will fare amid tight budgets.

Early discussions between state officials and tribal leaders have spurred talk of partnerships to pursue federal funding earmarked for American Indians. Those dollars could be used for transportation projects, DeRouen said.

“There are lots of grant proposals for federal dollars,” she said. “If tribes duplicate that all up and down the (Highway 101) corridor, Caltrans could do a lot of things.”

The discussions have been placed on the fast track by the emergence of plans for potentially high-traffic casinos on the North Coast, including two in Sonoma County. The talks also are designed to address tribal transportation needs, including bus and rail service near reservations.

“In large part the issues are coming to a head with casino development,” said Lisa Klein, senior planner with the Metropolitan Transportation Commission.

But the impetus behind last week's inaugural meeting was to recognize tribes as governments and treat them much like local cities, Klein said.

“It's something that has been long overdue that Caltrans and the Metropolitan Planning Commission have been talking about since the spring or earlier,” she said. “It's a regional issue. It's a statewide issue.”

The meeting marked a distinct change in the relationship between state and tribal leaders, said Doug Sibley, American Indian planning liaison for Caltrans.

“Historically, our contact has been over sacred sites, archaeological sites and the like, but now there is more opportunity for Native American governments to suggest improvements to the system,” he said.

Transportation Commission officials have been collecting input for months from its nine Bay Area county members to update the 25-year transportation plan by 2005. Those same officials now are talking with tribal leaders to collect information on planned growth, alternative transportation needs and traffic mitigation.

The talks include representatives from the Dry Creek Pomos, Federated Indians of Graton Rancheria, Kashia Band of Pomo Indians at Stewarts Point, Cloverdale Rancheria of Pomos, Coyote Valley Band of Pomos, Redwood Valley Rancheria of Pomos and the Scotts Valley Band of Pomos.

The emergence of multimillion-dollar casinos on tribal lands has put tribes in a position to parlay gaming revenues into infrastructure improvements, Sibley said, at the same time that it has raised concerns about casino-caused traffic.

In a Press Democrat Poll this month, respondents cited increased congestion on Highway 101 as a major reason they opposed the casino and hotel project proposed for the outskirts of Rohnert Park.

The Graton tribe plans to build a casino with 2,000 slot machines, 120 gaming tables, a 300-room hotel and a 2,000-seat auditorium less than a mile from Highway 101.

In a deal with Rohnert Park last week, the tribe agreed to pay about \$8 million toward specific traffic projects if the casino moves forward.

“I suspect that the additional revenues that tribal governments are now receiving does put them in a position where they can afford to do things for their community -- and transportation is a basic need,” Sibley said.

But participants in the meeting said specific projects were not discussed.

“It's perhaps the beginning of a new chapter,” Sibley said.

CASINO DEALS

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The recent meeting between transportation officials and seven North Coast Indian tribes was precedent-setting.

First, it was a positive sign that the tribes are willing to consider ways to alleviate the traffic problems caused by casinos.

An increase in Highway 101 traffic and more cars on narrow local roads are among the greatest concerns raised by community members and casino neighbors. Anything that can relieve the situation will be welcome.

Second, the meeting was a recognition of the sovereign status of tribes. Cities, counties, and regional and state agencies are waking up to the fact that if they want to share casino revenues, they must deal directly with tribal leaders.

Third, the meeting raised a specter of government agencies cannibalizing one another in order to make their own deal with tribes.

For example, it's not difficult to imagine Gov.-elect Arnold Schwarzenegger negotiating a new revenue-sharing agreement between the state and the gaming tribes that results in more dollars going to Sacramento. Assuming that the casino operators are expecting a certain rate of return from their investment, this will mean less money available to meet their commitments to local governments -- like Rohnert Park.

And -- if governments and tribes do forge more formal revenue-sharing arrangements -- there are serious policy and fiscal implications to be considered. If government grows more dependent on gaming revenues, will there be an incentive to allow casinos to expand? If 2,000 slot machines can build a new freeway overpass, imagine what 3,000 machines could build.

There are legitimate moral concerns regarding paying for government services with the proceeds of gambling. Beyond that, elected officials can't predict the fate of individual casinos.

What will happen to River Rock Casino proceeds when the Rohnert Park casino opens its doors? Will the revenues of the Rohnert Park resort fall when the San Pablo casino begins operating? Presumably, the universe of gamblers isn't infinite. At some point, gaming revenues will flatten or fall, and governments will be left holding an empty hand.

Like moths to a flame, government agencies swarm to a potential sources of revenue. In this case, caution is critical -- the chances of getting burned are high.



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Consultation Promotes Cooperation Among Tribes, MTC, Caltrans

To help ensure that regional transportation planning efforts address the needs and concerns of Northern California Indian tribes, MTC and Caltrans teamed with tribal government representatives to hold a consultation meeting at the National Indian Justice Center in Santa Rosa on Oct. 16. I was pleased to participate in the consultation and to be joined by several of my Commission colleagues and MTC staff.

The primary purpose of the consultation was to open lines of government-to-government communication, and begin to establish formal relationships between tribal governments and both MTC and Caltrans. This arrangement would provide a forum for ongoing discussions between MTC and Bay Area Indian tribes on a full range of tribal transportation interests, from access to the region's lifeline transportation network to the possible impact of planned transportation projects on sacred tribal sites.

In addition to their responsibility to consult with federally recognized Indian tribes as part of the transportation planning process, MTC and Caltrans are committed to developing relationships with tribes and Indian communities that do not

have federal recognition. Tribal organizations represented at the October meeting in Santa Rosa included the Scotts Valley Band of Pomo Indians, Coyote Valley Rancheria, Dry Creek Rancheria, Federated Indians of Graton Rancheria, Stewarts Point Rancheria, Cloverdale Rancheria, and Coyote Valley Rancheria. The meeting was moder-

ated by Joseph Myers, executive director of the National Indian Justice Center. Myers also serves as chair of Caltrans' Native American Advisory Committee, which was established to improve the government-to-government relationships between Caltrans and California Indian tribes.



Transportation planning is a cooperative effort that typically involves multiple government agencies. County congestion management agencies such as the Sonoma County Transportation Authority assess transportation needs at the county level, while MTC determines priorities for the entire nine-county Bay Area. Any potential transportation project or program must first be adopted by a formal sponsor — typically a government entity that is eligible to receive funding and has the authority to implement the project. Tribal governments, cities, counties, transit agencies, county congestion management agencies and Caltrans are all eligible sponsors.

Fall Brings Grant Opportunities for Tribal Governments, Other Agencies

MTC and Caltrans this fall announced two competitive Federal Transit Administration (FTA) grant funding opportunities for transportation programs sponsored by tribal governments, transit agencies or nonprofit organizations. Application materials are currently available for FTA Section 5311 Non-urbanized Transportation Program grants, which help provide operating funds, as well as buses and related equipment, for service to non-urban areas. Approximately \$560,000 will be available this year for transit agencies and tribal governments that provide transportation service to non-urbanized areas. Completed applications are due Nov. 19.

On Nov. 25, Caltrans will begin mailing applications for FTA Section 5310 Elderly and Disabled Transportation Program grants, which help finance buses and equipment for transportation services to the elderly and disabled. Eligible applicants include nonprofit agencies and local governments that provide transportation services to the elderly and disabled. Bay Area applicants last year split nearly \$2.5 million in Section 5310 funds. To receive an application contact Caltrans at 1.888.472.6816. For Section 5310 grant application assistance from a Paratransit Coordinating Council in your area — or for more information about Section 5311 grants — contact Dana Lang of MTC via e-mail at <dlang@mtc.ca.gov> or by phone at 510.464.7764.

Take MTC's Online Budget Challenge!

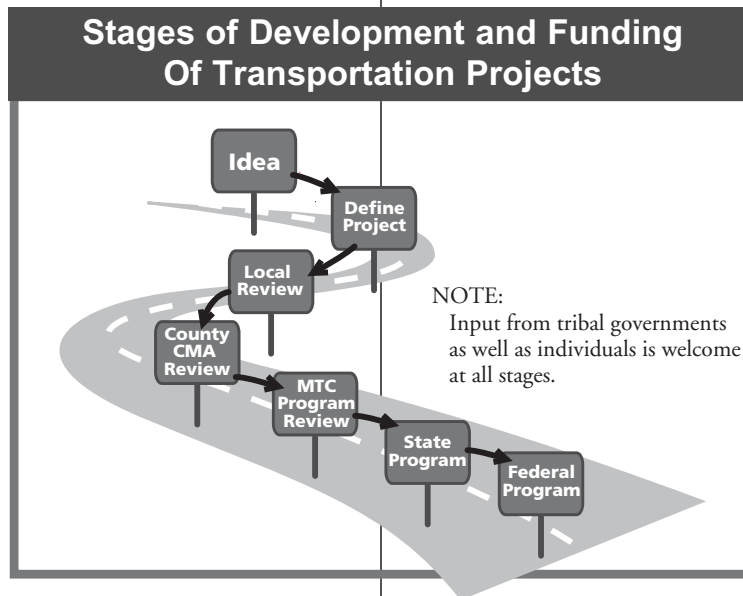
Public Input Needed to Shape Long-Range Transportation Plan

Members of the public will have numerous opportunities in the months ahead to contribute to the development of a new long-range plan that will guide transportation policy and investment in the Bay Area through 2030. The most immediate opportunity to shape the Transportation 2030 Plan is via the Internet, where you can go to the MTC Web site at <www.mtc.ca.gov/T2030/budget.htm> to take the online Budget Challenge from the comfort of your own computer. The interactive Budget Challenge invites you to put yourself in policymakers' shoes and share your

ideas about priorities for spending nearly \$10 billion in anticipated transportation revenues during the years 2005–2030.

Of the nearly \$100 billion in local, regional, state and federal transportation revenues expected to flow to the Bay Area between 2005 and 2030, 90 percent is already earmarked for maintaining the

region's existing transportation network and following through on prior commitments. The remaining \$10 billion may sound like plenty of money, but at \$400 million annually over the 25-year life of the Transportation 2030 Plan, it's not nearly enough to meet all the diverse transportation needs of the nine-county Bay Area. So tough choices will have to be made. MTC is eager to learn your recommendations.



A more public setting for policy input was provided at MTC's Planning and Operations Committee's public workshop on the Transportation 2030 Plan on Thursday, Nov. 13 in Oakland. The workshop was part of a series of focus groups and public workshops that MTC has conducted around the region this fall. Topics included goals for the Transportation 2030 Plan, options for investing available transportation funds and ways to better link transportation and land-use decisions.

On Saturday, Nov. 22, the Commission will team with the League of Women Voters of the Bay Area to co-sponsor a regional transportation forum from 9:30 a.m. to 1:30 p.m. at the Vallejo Naval and Historical Museum at 734 Marin Street in downtown Vallejo. Lunch is included at the Vallejo forum. Seating is limited, so advance registration is required. To register, contact Gail Schickele of the League of Women Voters by e-mail at <gails@bayarea.net> (indicate LWVBA Forum in the subject line), or by phone at 415.922.5826. You also can call the LWV at 510.839.1608.

MTC kicked off its public outreach for the Transportation 2030 Plan at a regional summit held in San Francisco in June. As part of Phase II of the Transportation 2030 Plan outreach, MTC will conduct several more public workshops in February and March 2004 to address specific issues raised during the first phase of outreach this year.

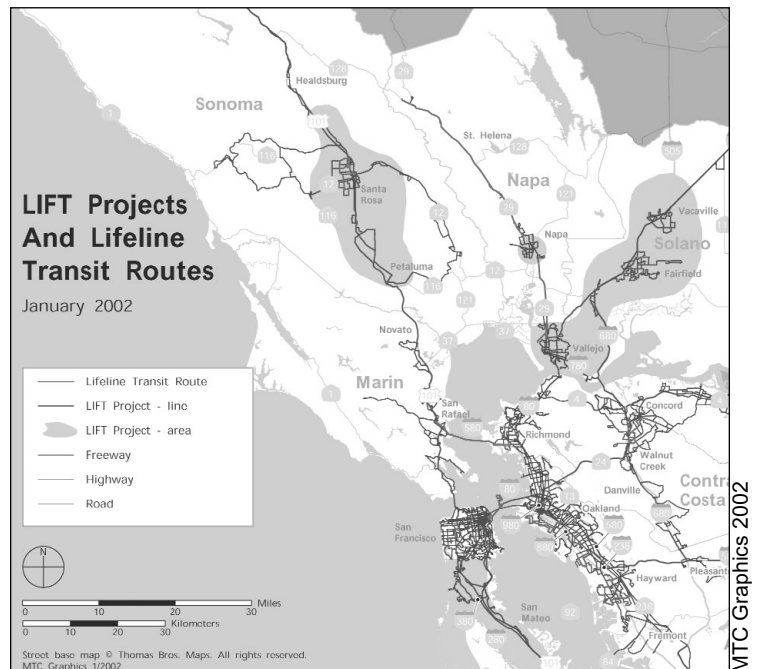
Phase II also will include public workshops conducted by county congestion management agencies (CMAs) to address local issues and propose projects for inclusion in the Transportation 2030 Plan. The Sonoma County Transportation Authority (SCTA) Board also deals with Transportation 2030 issues as part of its regular meetings, which take place at 3:15 p.m. on the

second Monday of every month at 2550 Ventura Ave. in Santa Rosa. For more information, visit the SCTA Web site at <www.sonoma-county.org/scta> or contact Janet Spilman via e-mail at <jspilman@sonoma-county.org> or by phone at 707.565.5373.

Lists of local investment priorities determined through the CMA process will be submitted to MTC in the spring of 2004. Following several months of technical analysis of the proposed investment packages, a draft version of the Transportation 2030 Plan is scheduled for release in September 2004.

MTC to Issue New Call for Projects Serving Low-Income Communities

MTC in 2004 will issue a call for projects for the third cycle of grants to be funded through its Low-Income Flexible Transportation (LIFT) program. The Commission created LIFT to fund transportation projects identified through countywide and regional welfare-to-work plans over the past four years. The program provides up to \$750,000 per project in capital and operating



costs for eligible projects throughout the nine-county Bay Area that address barriers encountered by lower-income residents in accessing jobs or other important destinations.

LIFT projects are selected through a competitive process. In order to stretch available funding and encourage partnerships between transportation providers and social services agencies, the program requires a local match. The local match can include federal Indian Reservation Roads funds, local transportation funds such as transit fares, Temporary Assistance to Needy Families, U.S. Housing and Urban Development and U.S. Department of Labor funds.

In its first two funding cycles, the LIFT program supported new and expanded transportation services designed to meet the varied transportation needs of low-income individuals in rural, suburban and urban communities throughout the region. For example, the Commission awarded \$72,823 to the city of Rio Vista (Solano County) to create a new vanpool service to help link workers in Rio Vista with job centers in other Solano County cities. City CarShare, a San Francisco-based nonprofit organization, was awarded more than \$521,000 to expand its fleet of low-cost rental cars into the city's low-income neighborhoods and to subsidize car-sharing costs for CalWORKS participants who are making the transition from welfare to paid employment.

MTC Advisory Committees Recruit Minority, Disabled Citizens

MTC is recruiting minority and disabled residents of the Bay Area who are interested in improving the region's extensive transportation network to serve on the Commission's Minority Citizens Advisory Committee (MCAC). Sonoma County resident Ronald Johnny serves as the at-

large member of MCAC, representing the American Indian community.

MCAC members make recommendations to MTC on a range of transportation issues and projects. Committee members are expected to attend monthly meetings during business hours and serve a two-year term. As part of their active commitment, committee members receive a stipend.

MCAC currently has vacancies for two African-American, Asian-American or Latino-American representatives from Sonoma County, two minority residents of Napa County, one Asian-American or Latino resident of Solano County, one Asian-American representative from Contra Costa County and one Latino American from San Mateo County. MTC also has two vacancies on its Elderly and Disabled Advisory Committee (EDAC). These include one representative of the disabled community from Contra Costa County and a disabled resident of Solano County.

The Commission welcomes qualified applicants for both the MCAC and EDAC vacancies who are willing to express their viewpoints and to develop and implement work plans that address transportation policies and funding priorities. Advisory committee fact sheets and applications are available on the MTC Web site at www.mtc.ca.gov/whats_happening/advisory/advisory.htm. Applications also are available by calling MTC's Public Information Office at 510.464.7787 or by visiting MTC headquarters at 101 Eighth Street in Oakland.

Applications will be accepted until all positions are filled. MTC commissioners will review all applications and will make final appointments to the advisory committees. The Commission reserves the right to conduct interviews with applicants.



All graphic elements in this issue courtesy of Caltrans.

